

Effectiveness Of Joint Patrol For National Marine Security And Safety To Minimize Illegal Goods Activities In Batam City

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Abstract

Smuggling is an important problem in many Indonesian maritime areas, including in Batam City. Illegal goods smuggling is one of the problems that until now has a high intensity in several Batam ports. The prevention and handling measures taken by the government have been very strict and almost every day Beacukai Batam takes action, but smuggling violations still occur every year. This may be influenced by the behavior of the people living in the area around the port, not only as smugglers but also as users and consumers so the demand for illegal goods continues to increase. This study aims to find out whether the joint patrols that have just been implemented in 2022 can minimize illegal goods smuggling activities in Batam City. The method used is a qualitative approach with interviews and literature studies. At the first, it was feared that the joint patrols carried out by several agencies related to maritime security would cause overlapping interests or the possibility of sectoral egos, but in reality the patrols ran smoothly and according to the expected plan. Joint patrols are considered by several agencies related to maritime security to have an influence in reducing the number of smuggling of illegal goods and the number of violations in the standard of transporting goods by ship.

Keywords: *Illegal goods smuggling, Joint patrols, Batam City*

INTRODUCTION

Indonesia as a large archipelagic country has abundant natural resource potential. However, this also makes Indonesia a country with high potential threats due to its geographical conditions, namely the threat of organized crime and other social problems. Many threats are caused by transnational (international) crimes, such as smuggling, trading or selling of goods and people, illegal fishing, illegal mining and illegal logging. Cases like this are very easy to find, especially in remote areas and close to neighboring countries such as Nanggroe Aceh Darussalam (NAD), North Sumatra, Riau Islands and West Kalimantan. The extent of the security priority area compared to human resources (HR), in this case the security guarding the area, is often used by criminals to carry out their operations. Crime activities between countries are not only caused by weak law enforcement in Indonesia or wide-open free trade. However, it is also supported by the geographical area of Indonesia itself. Salam explained that the main factor that makes Indonesia vulnerable to transnational crime is its geographical location which borders with other countries (Salam, 2020).

Indonesia has regulated criminal sanctions for smuggling in Law Number 17 of 2006. This is because smuggling is a complex problem for the Indonesia Government. Especially as a developing country, smuggling is a problem that can disrupt several fields, including economic, political, social, ideological, defense and security (Direktorat Jendral Bea dan Cukai, 2022). The various types of smuggling that occur in Indonesia and each type of smuggling have different impacts on national security. For example, money laundering crimes usually begin with drug smuggling. Of course these crimes or violations have an impact on economic growth

and the strength of a country's currency. According to the IMF, one of the consequences for the economy of money laundering is that it has a negative impact on tax collection and allocation of general expenditures due to incorrect reporting of income (BNN, 2009). For ballpresses or smuggling of second-hand clothes from outside, it has an impact on the production of textiles made locally which are not in demand because the price disparity is quite high, this is because local garment products have quite expensive prices, but not matched by quality and models. Meanwhile, imported second-hand clothes are sold at very cheap prices and still have much better quality.

Currently the biggest smuggling potential is in areas related to free trade zone agreements such as Batam. There are four contributing ports in Batam, two of which are Batu Ampar and Sekupang. In addition to the four major ports, there are more than 50 private ports that serve as incoming and outgoing ships. According to reports, the supervisory performance of the Bea cukai Batam Service Office during 2021 managed to record as many as 497 prosecutions. Of the 497 actions, the estimated value of the goods resulting from the action was IDR 156.92 billion with a potential loss to the state of IDR 63.63 billion. If calculated from an average of 497 actions in a year, Bea cukai Batam takes action 1.35 times in one day for 1 year (Bea cukai Batam, 2022). It can be concluded that there is no day without taking action or in this case there is no day without carrying out supervisory duties for Bea Cukai Batam.

Smuggling is like a culture in Batam City because the people think that this is common in society and not many people are caught for small smuggling such as illegal groceries or buying used clothes from other countries. In order to minimize illegal goods smuggling activities, several efforts have been made by the Indonesian government, starting from providing education or outreach to coastal communities, synergizing between stakeholders, independent patrol activities, and joint patrol activities which were officially opened by the Head of the Maritime Security Agency (Bakamla RI) last August 2022 in Batam City. This paper will discuss the effectiveness of joint national maritime security and safety patrols in reducing the number of smuggling of illegal goods in Batam City.

RESEARCH METHODS

This research was conducted using a qualitative approach. Creswell (2014) stated that the qualitative project contains a description of the research problem which can be comprehended through exploring a concept or phenomenon. The qualitative approach has a goal which is to deepen the research objectives as well as giving a detailed account of the findings of both oral and written observations made from a specific subject and research object in circumstances that were investigated from a scientific point of view. This study uses the interview method and also uses secondary data such as literature studies from books, related journal articles, and news from various other online media. The main issue of this study is to explore the potential of joint national maritime security and safety patrols to minimize illegal goods smuggling activity in Batam City.

RESULT AND DISCUSSION

Smuggling is a crime committed by a person or group of people by entering (importing) or removing (exporting) goods by not fulfilling the provisions of the applicable laws and regulations, violating the law and causing harm to the state (Anwar, 2001). Smuggling generally consists of two types of legal smuggling and illegal smuggling. Legal smuggling is

importing goods from abroad to the territory of Indonesia or exporting goods from Indonesia to foreign countries through certain procedures that's protected by documents, but these documents do not match with the goods that are entered or released. Discrepancies are usually due to the quality, quantity and price of existing goods at the price they should be. Illegal goods smuggling is the act of bringing in or removing goods from or to Indonesian territory without any document protection. According to Hamzah, the notion of smuggling is actually not a judicial term, but an activity of daily phenomena, in which a person secretly or surreptitiously brings in or takes goods out or into the country with a certain reason to avoid bea cukai (economy factor) or avoid prohibitions made by the government such as bring weapons, ammunition, narcotics and so on (Hamzah, 1988).

Batam City has been known as the cheapest place for smuggling or selling illegal goods in Indonesia. If we look from a geographical aspect, the Batam area which is part of the border area makes it easy for people there to obtain illegal goods from abroad such as Malaysia and Singapore. Furthermore, for economic access, as we know, coastal communities are often classified as low-income communities. So with the profitability of illegal goods that are cheaper than local goods, it will benefit them in terms of saving with better quality. Lastly, the social aspect, the exposure of the Batam people to illegal goods smuggling activities makes these activities seem commonplace in society. As a result, many people don't feel afraid to do that or don't care if it happens around them. The following is the number of actions taken in Batam City in the last 5 years from 2018-2022.

Table 1. Number of Actions and Estimated State Losses in Batam City in 2018-2022

KETERANGAN		
Year	Number of Actions	Estimated State Losses
2018	580	IDR 5.551.315.331.191,00
2019	554	IDR 102.843.409.261,00
2020	516	IDR 135.886.588.595,00
2021	497	IDR 63.636.144.545,00
2022	496	IDR 10.413.790.551,00

Source: Beacukai Batam, 2022

Batam City Government, including stakeholders in the marine sector, Batam City has made various efforts to reduce illegal goods smuggling activities. Starting from providing education and counseling to the community, giving trust to the community by making the community as a carrier of information about smuggling, conducting patrols both land, sea and air patrols. Furthermore, what has just been carried out is the implementation of the 2022 National Maritime Security and Safety Joint Patrol. As many as six ministries of the Republic of Indonesia will officially carry out the 2022 National Maritime Security and Safety Joint Patrol. The opening ceremony of this joint patrol took place at Bintang 99 Harbor, Batu Ampar, Batam City.

The Joint Patrol began with Bakamla RI as the coordinator as an effort to implement Government Regulation Number 13 of 2022 concerning the implementation of security, safety and law enforcement in the Indonesian maritime territory and the Indonesian Jurisdiction area. The purpose of this joint patrol is to improve security and safety in all regions of Indonesia and jurisdictions as well as to create effective and efficient synergy between stakeholders. This activity involved as many as 7 ships from Bakamla and each agency ministry with 2 ships each, from the Indonesian National Navy, Police, Ministry of Maritime Affairs and Fisheries, Bea dan Cukai, and the Sea and Coast Guard Unit. The inauguration of the implementation of this patrol was marked by pressing the siren button jointly by the ministries of institutions that are members of the joint patrol. Apart from being attended by hundreds of other security officers

from various agencies, this activity also brought in ships monitoring the seas of the Republic of Indonesia.

Head of the Maritime Security Agency of the Republic of Indonesia, Vice Admiral TNI Dr. Aan Kurnia said that through joint patrols, his agency as the maritime security coordinator wants to unite all existing maritime systems in Indonesia. Joint patrols are one of the efforts to prevent acts of smuggling of goods, drugs, alcohol, cigarettes and smuggling of baby lobsters. But more than that, joint patrols provide a deterrence effect for maritime defense in Indonesia's maritime territory, especially for transnational crimes. By presenting Indonesian ships along with their weapons, the perpetrators will think twice about carrying out their violations. This applies to offenders from outside or from Indonesia itself.

At the beginning, it was feared that the joint patrols carried out by several agencies related to maritime security would cause overlapping interests or the possibility of sectoral egos, but in reality the patrols ran smoothly and according to the expected plan. Below are the steps to take action if smuggling of illegal goods is found during joint patrols:

1. Stop the ship or means of transporting goods if it looks suspicious
2. Examination of luggage is carried out according to the documents carried or contraband is found outside the documents
3. Conduct case titles simultaneously with other agencies
4. Deciding the status of the goods carried by the ship
5. To hand over to the agency authorized to handle the types of smuggling and the types of illegal goods carried

Several responses were given by each agency regarding the joint patrol coordinated by Bakamla RI. Marine Colonel (P) Agus Izudin as Assistant for Operations Danlantamal IV Batam stated that joint patrol activities and education for the community had an influence, but a solution needed to be found for the fundamental factors in the occurrence of these activities. It could be that people do it because of the factor of fulfilling their necessities of life, such as groceries from other countries. The community understands that buying illegal groceries is an act of wrongdoing, however, they are faced with the long distance of the logistics route from Java Island, which is a supplier of basic necessities, so it does not allow them to access basic food commodities at low prices, such as on the islands of Java and Sumatra, which require them to buy basic necessities from other countries illegally.

Police Inspector Bazaro Gea as the Head of Intelligence Unit for the Riau Islands Regional Police, said that the joint patrol activity had an influence. However, because smuggling is like a culture in Batam, it is impossible that smuggling of illegal goods will disappear. However, maybe you can reduce the intensity by carrying out routine patrols both on land and at sea and adding weapons for each agency related to maritime security because now it is not optimal. According to Police Inspector Gea, for actual patrols the most effective is land patrol because when at sea the infrastructure owned by the perpetrators is more sophisticated and fast. In addition, the violators usually already know the type of patrol boat and its speed, so that the perpetrators can choose a faster ship when carrying out their actions.

Sabaruddin Rahmat as the Head of the Bea Cukai Batam Compliance Guidance Section said that joint patrol activities certainly had an impact. In addition, the effect that the joint patrol wants to give to people is the effect of fear and deterrence from smuggling illegal goods. Obstacles during patrols may be because Batam has a fairly large area and the growing number of smugglers. Bea Cukai or other agencies in Batam City must continuously upgrading their strategies and technologies to balance criminals with increasingly diverse methods and smuggling strategies.

Insan Aulia as the Head of the West Maritime Zone Information System Development Bakamla said that joint patrols are very influential, in addition to causing a deterrence effect on

criminals, ship drivers now carry documents or permits that they really should carry when traveling. Previously, the ship's crew underestimated this rule and often forgot about the standard departure or transportation of goods by ship. For obstacles there may have been some differences of opinion or understanding between agencies, but they can still be overcome together.

In the future, the joint patrol plan or date will be determined by Bakamla RI, but the basis for its implementation will still use the respective agency's warrant. Joint patrols are a new breakthrough to strengthen synergy between stakeholders in the marine sector. However, each activity has its own strengths and weaknesses. The weakness of joint patrols is when the date of the patrol is repeated on the following month, then the perpetrators of smuggling illegal goods know what dates will be held on patrols and what ships are owned by the stakeholders in charge. Then the perpetrator should have avoided that date. So if we take an analogy, it makes sense that joint patrols minimize illegal goods smuggling activities. If you look at the number of action carried out by Bea Cukai, it has indeed decreased numerically, but a separate team is needed to carry out hidden checks to find out whether the smugglers have changed their strategy because of joint patrols or it has really decreased.

CONCLUSION

Joint patrol activities carried out to prevent and deal with acts of smuggling of illegal goods do have an effect, but it is still necessary to find solutions to the fundamental factors in the occurrence of these activities or the reason someone commits an act of smuggling, some of which are likely due to social inequality, poverty, and the need for basic necessities. Smuggling is often carried out by the community, not smuggling in large quantities but rather a social phenomenon that occurs in society where smuggling is considered normal or ordinary. It could be buying or selling basic necessities or food that doesn't come from within the country and they know that these goods were not imported in a legal way. Therefore, the most appropriate way to reduce it is to find out the reasons for these people to smuggle illegal goods.

If we look from a different angle, the profitability from carrying out this smuggling activity provides income for the actors who have been an unresolved problem in coastal communities, that's poverty. It could be that by doing this, the economic level of coastal communities will increase and the result is increase their social welfare such as education and health. However, this is clearly wrong, because it violates the law and harms the country's economy. In this case the solution needed from the local government apart from carrying out joint patrols is to increase jobs in coastal areas so that people have other jobs they can do during the rainy season or difficult fishing season and increase the desire to open small and medium business in coastal communities, its can be through by training or lending capital to people who want to open a business

REFERENCES

- Anwar, Mochammad. (2001). *Segi-Segi Hukum Masalah Penyelundupan*, Bandung: Alumni Bandung.
- Beacukai. (2022). *Selama Tahun 2021, Bea Cukai Batam Berhasil Melakukan Penindakan Dengan Total Estimasi Nilai Barang Sebanyak Rp156,92 Miliar*.

<https://www.beacukai.go.id/berita/selama-tahun-2021-bea-cukai-batam-berhasil-melakukan-penindakan-dengan-total-estimasi-nilai-barang-sebanyak-rp156-92-miliar.html> diakses 10 Desember 2022.

Creswell, J. W. (2014). *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*.

Hamzah, Andi (1988). *Delik-Delik Penyelundupan*. Jakarta: Akademika Pressindo.

Mongabay. (2022). Patroli Bersama Belum Jangkau Laut Natuna Utara. <https://www.mongabay.co.id/2022/08/24/patroli-bersama-belum-jangkau-laut-natuna-utara-kenapa/> diakses 10 Desember 2022.

Salam, E. A. (2020). Penegakan Hukum Tindak Pidana Penyelundupan Manusia (People Smuggling) Dalam Hukum Positif Indonesia. *Pemuliaan Hukum*, Vol. 3, No.1.

Undang-undang (UU) No. 17 Tahun 2006 Perubahan atas Undang-Undang Nomor 10 Tahun 1995 tentang Kepabeanan